

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

JANE DOES 1-9,

Plaintiffs,

v.

COLLINS MURPHY, LIMESTONE  
COLLEGE, MG FREESITES, LTD d/b/a  
PORNHUB.COM, and HAMMY MEDIA,  
LTD. d/b/a XHAMSTER.COM,

Defendants.

Civil Action Number: 7:20-cv-00947-TMC

**CONSENT MOTION TO ENLARGE  
TIME TO RESPOND TO PLAINTIFFS'  
MOTION TO AMEND**

INTRODUCTION

Defendant MG Freesites, Ltd (“MG”), pursuant to Rule 6(b), Federal Rules of Civil Procedure, and Local Civ. Rule 6.01 (D.S.C.), moves the Court for an order enlarging the time for it to respond to Plaintiffs’ fourth motion to amend the complaint (the “Motion”). (ECF 145.) MG seeks an additional fourteen days to respond to the Motion and proposes an amended deadline of Tuesday, December 7, 2021. Plaintiffs consent to the relief sought by the instant motion, which is filed prior to expiry of MG’s current response deadline—Tuesday, November 23, 2021.

BACKGROUND

Plaintiffs filed the Motion on November 9, 2021, attaching a proposed fifth amended complaint. (ECF 145-1.) The amendment seeks to add several new defendants, including four that are alleged to have an affiliation with MG and/or its operations. (Prop. 5th Amend. Compl. ¶¶ 22-26.) The amendment further seeks to add not less than (35) new factual allegations and a new statutory claim against MG, not previously raised by pleading. (Prop. 5th Amend. Compl. ¶¶ 37-39, 42-47, 49-70, 88-93, 95-111.)

The 2021 Thanksgiving Day Holiday will occur on Thursday, November 25, 2021.

## ARGUMENT

Rule 6(b)(1), Federal Rules of Civil Procedure, provides this Court may extend a response deadline for good cause. “An application under Rule 6(b)(1) normally will be granted in the absence of bad faith or prejudice to the adverse party.” *Koehler v. Dodwell*, No. 99-1776, 2000 U.S. App. LEXIS 12138, at \*8 (4th Cir. June 2, 2000) (holding Court abused discretion for failing to grant a party’s request for an extension of time to respond to a motion to dismiss). Rule 6 is further to “be construed and administered to secure the just, speedy, and inexpensive determination of every action.” *Id.* The moving party need not show excusable neglect, when the request for enlargement of time is before the Court prior to expiration of the deadline to respond. *See* FED. R. CIV. P. 6(b)(1).

Good cause exists here, without any evidence or suggestion of bad faith or prejudice to Plaintiffs. MG’s response to the Motion requires substantial preparation and client consultation, which will be inhibited, in part, by the impending 2021 Thanksgiving Day Holiday on Thursday, November 25, 2021.

Should the Court grant the instant motion, the new response deadline is Tuesday, December 7, 2021, leaving ample time for the Court to resolve any remaining issues and permit the parties to move to depositions. The instant request is not for an indefinite time and will not interfere with any impending deadlines enumerated in the Court’s operative scheduling order. (ECF 141.) This motion is filed prior to expiration of Defendants’ deadline to respond to the Motion.

## CONSULTATION

In accordance with Local Civ. Rule 7.02 (D.S.C.) the undersigned consulted with Plaintiffs’ counsel by way of a telephone call on November 15, 2021. Plaintiff’s counsel

confirmed Plaintiffs' consent to the fourteen-day extension sought herein, by way of email delivered the following day.

WHEREFORE MG requests the Court extend the deadline to respond to the Motion to December 7, 2021.

*[signature page follows]*

Respectfully submitted,

DATED November 18, 2021

TURNER, PADGET, GRAHAM AND LANEY, P.A.

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